

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

EDDIE JAMES POLLNITZ,

*

*

Plaintiff,

*

*

v.

*

Civil Action No.:

*

**LARRY LEE WILLIAMS; BIG LEVEL
TRUCKING INCORPORATED,**

*

*

*

Defendants.

*

*

NOTICE OF REMOVAL

EXHIBIT A



State of Alabama Unified Judicial System Form ARCiv-93 Rev. 9/18	COVER SHEET CIRCUIT COURT - CIVIL CASE (Not For Domestic Relations Cases)	Case No: 01- Circuit Court Of JEFFERSON COUNTY, ALABAMA JACQUELINE ANDERSON SMITH, CLERK Date of Filing: Judge Code: 01/21/2022
GENERAL INFORMATION		
IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA EDDIE JAMES POLLNITZ v. BIG LEVEL TRUCKING INCORPORATED ET AL		
First Plaintiff: <input type="checkbox"/> Business <input checked="" type="checkbox"/> Individual First Defendant: <input checked="" type="checkbox"/> Business <input type="checkbox"/> Individual <input type="checkbox"/> Government <input type="checkbox"/> Other <input type="checkbox"/> Government <input type="checkbox"/> Other		
NATURE OF SUIT: Select primary cause of action, by checking box (check only one) that best characterizes your action:		
TORTS: PERSONAL INJURY <input type="checkbox"/> WDEA - Wrongful Death <input type="checkbox"/> TONG - Negligence: General <input checked="" type="checkbox"/> TOMV - Negligence: Motor Vehicle <input type="checkbox"/> TOWA - Wantonness <input type="checkbox"/> TOPL - Product Liability/AEMLD <input type="checkbox"/> TOMM - Malpractice-Medical <input type="checkbox"/> TOLM - Malpractice-Legal <input type="checkbox"/> TOOM - Malpractice-Other <input type="checkbox"/> TBFM - Fraud/Bad Faith/Misrepresentation <input type="checkbox"/> TOXX - Other: _____ TORTS: PERSONAL INJURY <input type="checkbox"/> TOPE - Personal Property <input type="checkbox"/> TORE - Real Properly OTHER CIVIL FILINGS <input type="checkbox"/> ABAN - Abandoned Automobile <input type="checkbox"/> ACCT - Account & Nonmortgage <input type="checkbox"/> APAA - Administrative Agency Appeal <input type="checkbox"/> ADPA - Administrative Procedure Act <input type="checkbox"/> ANPS - Adults in Need of Protective Service	OTHER CIVIL FILINGS (cont'd) <input type="checkbox"/> MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/ Enforcement of Agency Subpoena/Petition to Preserve <input type="checkbox"/> CVRT - Civil Rights <input type="checkbox"/> COND - Condemnation/Eminent Domain/Right-of-Way <input type="checkbox"/> CTMP - Contempt of Court <input type="checkbox"/> CONT - Contract/Ejectment/Writ of Seizure <input type="checkbox"/> TOCN - Conversion <input type="checkbox"/> EQND - Equity Non-Damages Actions/Declaratory Judgment/ Injunction Election Contest/Quiet Title/Sale For Division <input type="checkbox"/> CVUD - Eviction Appeal/Unlawful Detainer <input type="checkbox"/> FORJ - Foreign Judgment <input type="checkbox"/> FORF - Fruits of Crime Forfeiture <input type="checkbox"/> MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition <input type="checkbox"/> PFAB - Protection From Abuse <input type="checkbox"/> EPFA - Elder Protection From Abuse <input type="checkbox"/> QTLB - Quiet Title Land Bank <input type="checkbox"/> FELA - Railroad/Seaman (FELA) <input type="checkbox"/> RPRO - Real Property <input type="checkbox"/> WTEG - Will/Trust/Estate/Guardianship/Conservatorship <input type="checkbox"/> COMP - Workers' Compensation <input type="checkbox"/> CVXX - Miscellaneous Circuit Civil Case	
ORIGIN: F <input checked="" type="checkbox"/> INITIAL FILING A <input type="checkbox"/> APPEAL FROM DISTRICT COURT O <input type="checkbox"/> OTHER R <input type="checkbox"/> REMANDED T <input type="checkbox"/> TRANSFERRED FROM OTHER CIRCUIT COURT		
HAS JURY TRIAL BEEN DEMANDED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P., for procedure)		
RELIEF REQUESTED: <input checked="" type="checkbox"/> MONETARY AWARD REQUESTED <input type="checkbox"/> NO MONETARY AWARD REQUESTED		
ATTORNEY CODE: SPU006 1/21/2022 12:37:14 PM /s/ ANTONIO DELFONJIA SPURLIN Date Signature of Attorney/Party filing this form		
MEDIATION REQUESTED: <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNDECIDED Election to Proceed under the Alabama Rules for Expedited Civil Actions: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		

**IN THE CIRCUIT COURT OF JEFFERSON COUNTY,
BIRMINGHAM DIVISION**

EDDIE JAMES POLLNITZ,

Plaintiff,

v.

**LARRY LEE WILLIAMS,
BIG LEVEL TRUCKING
INCORPORATED**

Defendants.

CIVIL ACTION NO.:

There may be other entities whose true names and identities are unknown to the Plaintiffs at this time who may be legally responsible for the claim(s) set forth herein who may be added by and or amendment by the Plaintiff when their true names and identities are accurately ascertained by further discovery. Until that time, the Plaintiff will designate these parties in accordance with ARCP 9(h). The word "entity" as used herein is intended to refer to and include any and all legal entities including individual persons, any and all forms of partnership, and all types of corporations and unincorporated associations. The symbol by which these party Defendants are designated is intended to include more than one entity in the event that discovery reveals that the descriptive characterizations of the symbol applies to more than one "entity" in the present action. The Plaintiff must include by descriptive characterization are as follows:

FICTITIOUS DEFENDANTS "A", the correct legal designation of the entity known only to the Plaintiff as BIG LEVEL TRUCKING INCORPORATED. AND LARRY LEE WILLIAMS;

FICTITIOUS DEFENDANT "B," the correct legal designation of the entity known only to the Plaintiff as BIG LEVEL TRUCKING INCORPORATED;

FICTITIOUS DEFENDANTS "C," "D," and "E," whether singular or plural, those other persons, corporations, firms or other entities who or which were responsible to dispatch, train, manage and/or supervise LARRY LEE WILLIAMS as an employee, servant, agent and/or independent contractor of BIG LEVEL TRUCKING INCORPORATED. for the purpose of performing services within the line and scope of his employment with BIG LEVEL TRUCKING INCORPORATED;

FICTITIOUS DEFENDANTS "F," "G," and "H," whether singular or plural, those other persons, corporations, firms or other entities who or which provided any insurance coverage for the subject BIG LEVEL TRUCKING INCORPORATED truck involved in the incident which made the basis of this lawsuit from the driver of the truck or for any of the named fictitious parties defendant listed or described herein;

FICTITIOUS DEFENDANT “I,” whether singular or plural, that entity or those entities who or which provided maintenance and upkeep on the subject BIG LEVEL TRUCKING INCORPORATED truck involved in the accident which made the basis of this lawsuit;

FICTITIOUS DEFENDANT “J,” and “K,” whether singular or plural, those other persons, corporations, firms or other entities who or which tested, inspected, approved, or issued any approval of the subject BIG LEVEL TRUCKING INCORPORATED truck involved in the accident which made the basis of this lawsuit, as well as, supervisory authority relating to the maintenance, operation, or to the selection, training and hiring of drivers of any of the BIG LEVEL TRUCKING INCORPORATED trucks;

FICTITIOUS DEFENDANTS “L,” whether singular or plural, those other persons, corporations firms or other entities did any repair work on the subject BIG LEVEL TRUCKING INCORPORATED truck which made the basis of this lawsuit;

FICTITIOUS DEFENDANTS “M,” and “N,” whether singular or plural, those other persons, corporations firms or other entities who or which issued any policy of insurance which provided coverage for any and all of the Plaintiff on the occasion which made the basis of this lawsuit and those persons that serve on a supervisory Board or Commission that direct, oversee, supervise and/or manage the day-to-day operations of BIG LEVEL TRUCKING INCORPORATED;

FICTITIOUS DEFENDANTS “O,” whether singular or plural, those other persons, corporations, firms or other entities who or which manufactured and or distributed the subject BIG LEVEL TRUCKING INCORPORATED truck involved in the wreck which made the basis of this lawsuit;

FICTITIOUS DEFENDANTS “P,” and “Q,” whether singular or plural, those other persons, corporations, firms or other entities other than those entities described above whose breach of contract or warranty contributed to cause the accident which made the basis of this lawsuit, and, which is the successor in interest of any of those entities;

FICTITIOUS DEFENDANTS “R,” and “S,” whether singular or plural, those other persons, corporations, firms or other entities who or which were the master or principal of the driver of the subject BIG LEVEL TRUCKING INCORPORATED truck involved in the passenger side rear wreck which made the basis for this lawsuit and the driver of the subject company defendant truck was performing some type of service or employment duty at the time of this wreck;

FICTITIOUS DEFENDANTS “T” “U” AND “Z,” whether singular or plural, those other persons, corporations, firms or other entities who or which issued, or had a duty to issue, warnings or instructions regarding the use or operation of the BIG LEVEL TRUCKING INCORPORATED truck and who or which negligently entrusted the subject truck involved in the wreck which made the basis of this lawsuit;

Defendants.

STATEMENT OF PARTIES

1. The Plaintiff, EDDIE JAMES POLLNITZ, is a resident of Jefferson County, Alabama and is over the age of nineteen (19) years and sound mind.
2. The Defendant, BIG LEVEL TRUCKING INCORPORATED (hereinafter referred to as (“BIG LEVEL TRUCKING INC”), is a corporation, which at all times herein was and is doing business within the jurisdiction of Jefferson County, Alabama at the time of the incident which made the basis of this lawsuit.
3. The Defendant, LARRY LEE WILLIAMS (hereinafter referred to as “WILLIAMS”), is a resident of Memphis, Tennessee; is over the age of nineteen (19) years; believed to be of sound mind; is an employee, servant, contractor and/ or agent of BIG LEVEL TRUCKING INCORPORATED. Said Defendant is being sued in his official capacity and/or individual capacity concerning the wreck which makes the basis of this lawsuit.

STATEMENT OF FACTUAL COMPLAINT

4. On or about October 12, 2021 at or near the intersection of Arkadelphia Rd exit ramp within the City limits of Birmingham, Alabama located in Jefferson County, Defendant LARRY LEE WILLIAMS operated a 2020 INTL TR Truck bearing VIN No. 3HSDZAPR9LN374014 in such a way as to negligently cause said vehicle to collide into the vehicle operated by Plaintiff EDDIE JAMES POLLNITZ’s 2007 Toyota Avalon XL bearing VIN No. 4T1BK36B67U244635. As a direct result, Plaintiff POLLNITZ collided into another vehicle head on near the intersection of Arkadelphia Road. Further, said negligent conduct of the Defendant LARRY LEE WILLIAMS caused the Plaintiff EDDIE JAMES POLLNITZ to be personally injured and his property damaged.

5. As a proximate result of the negligence of said Defendant LARRY LEE WILLIAMS, Plaintiff EDDIE JAMES POLLNITZ was caused to suffer and incur the following injuries and damages:

A. Plaintiff EDDIE JAMES POLLNITZ suffered back trauma, numerous and permanent injuries in and about his body and/or mouth;

B. Plaintiff EDDIE JAMES POLLNITZ incurred and will incur the future sums of the money in the nature of doctor, hospital, prescription drugs, and other expenses for treatment of his injuries;

C. Plaintiff EDDIE JAMES POLLNITZ suffered and will suffer in the future physical pain and mental anguish as a result of his injuries;

D. Plaintiff EDDIE JAMES POLLNITZ was caused the total loss of his property, loss wages, and/or use of his 2007 Toyota Avalon XL vehicle;

E. Plaintiff EDDIE JAMES POLLNITZ was caused to undergo surgeries, therapy and medical treatment as a direct and proximate result of the Defendant WILLIAMS' negligence while operating the truck within the line and scope of his employment with BIG LEVEL TRUCKING, INC.

6. In violation of BIG LEVEL TRUCKING, INC. 's policies, procedures and Alabama traffic laws, WILLIAMS negligently operated BIG LEVEL TRUCKING, INC.'S truck on the day of the wreck which made the basis of this lawsuit.

7. While driving negligently along Arkadelphia Road in Jefferson County, Alabama, the BIG LEVEL TRUCKING, INC., truck driven by WILLIAMS struck the passenger side rear of the Plaintiff's vehicle causing him substantial bodily injuries and the total

loss of the Plaintiff's vehicle. Defendant BIG LEVEL TRUCKING, INC.'S truck was traveling at such speed and force that said vehicle caused Plaintiff EDDIE JAMES POLLNITZ to sustain life altering mental injuries, trauma and/or bodily damages thusly resulting in two impacts to both the passenger side rear and front of his vehicle.

8. As a proximate result of the negligence of said Defendants BIG LEVEL TRUCKING, INC. and WILLIAMS conduct, Plaintiff EDDIE JAMES POLLNITZ was caused to suffer and sustain the aforementioned injuries and damages enumerated in paragraphs A-E.

COUNT I
NEGLIGENCE

9. The Plaintiff EDDIE JAMES POLLNITZ re-alleges and adopts all averments stated in the complaint from paragraphs 1-8 and further allege as follows:

10. BIG LEVEL TRUCKING, INC. and WILLIAMS owed a duty to Plaintiff EDDIE JAMES POLLNITZ to exercise reasonable and due care in driving the BIG LEVEL TRUCKING, INC. truck.

11. BIG LEVEL TRUCKING, INC. and WILLIAMS breached their duty to the Plaintiff EDDIE JAMES POLLNITZ by driving the truck while not maintaining a proper distance from the Plaintiff's vehicle which interfered with his ability to safely operate the truck and negligently caused the BIG LEVEL TRUCKING, INC. truck to crash into the car driven by the Plaintiff.

12. As a direct and proximate result of the negligence said Defendants' BIG LEVEL TRUCKING, INC. and WILLIAMS conduct, Plaintiff EDDIE JAMES POLLNITZ was injured as alleged in the aforementioned paragraphs.

WHEREFORE WITH ALL PREMISES CONSIDERED, Plaintiff EDDIE JAMES POLLNITZ demands a judgment against the defendants jointly and severally, whether specifically or fictitiously named, compensatory and punitive damages in an amount to be assessed by the trier of fact. Punitive damages should be awarded to Plaintiff in an amount which will adequately reflect the enormity of the Defendants' BIG LEVEL TRUCKING, INC. and WILLIAMS wrongful acts and or omissions and which will effectively prevent other similar wrongful acts and omissions.

COUNT II
NEGLIGENT/WANTON ENTRUSTMENT

13. The Plaintiff EDDIE JAMES POLLNITZ re-alleges and adopts all averments stated in the complaint from paragraph 1-12 and further allege as follows:

14. BIG LEVEL TRUCKING, INC. was the owner of and/or had the right of control over the use of the truck driven by WILLIAMS. BIG LEVEL TRUCKING, INC. negligently and or wantonly entrusted the truck to WILLIAMS, either directly or indirectly, who was not competent to operate the truck. BIG LEVEL TRUCKING, INC. entrusted the truck to WILLIAMS who negligently and or wantonly operated it causing injuries to the Plaintiff. This negligent and or wanton conduct was a proximate cause of the Plaintiff's injuries and losses as set forth in the preceding paragraphs A-E.

WHEREFORE WITH ALL PREMISES CONSIDERED, Plaintiff EDDIE JAMES POLLNITZ demands a judgment against the Defendants BIG LEVEL TRUCKING, INC./WILLIAMS jointly and severally, whether specifically or fictitiously named, compensatory and punitive damages in an amount to be assessed by the trier of fact. Punitive damages should be awarded to Plaintiff in an amount which will adequately reflect the enormity of the Defendants' wrongful acts and or omissions and which will effectively prevent other similar wrongful acts and omissions.

COUNT III
NEGLIGENT/WANTON MAINTENANCE, OPERATION, SERVICE
AND/OR REPAIR

15. The Plaintiff EDDIE JAMES POLLNITZ re-alleges and adopts all averments stated in the complaint from paragraph 1-14 and further allege as follows:

16. BIG LEVEL TRUCKING, INC. was the owner, lessor, and or lessee of the truck driven by WILLIAMS and as such, had the authority to supervise the maintenance, operation, service and repair of the truck. BIG LEVEL TRUCKING, INC. negligently or wantonly exercised or failed to exercise said supervisory control over the maintenance, operation, service and or repair of the truck. The negligent and or wanton conduct of BIG LEVEL TRUCKING, INC. was a proximate cause of the Plaintiff's injuries as alleged in the aforementioned paragraph.

WHEREFORE WITH ALL PREMISES CONSIDERED, Plaintiff demands a judgment against the Defendants BIG LEVEL TRUCKING, INC./WILLIAMS jointly and severally, whether specifically or fictitiously named, compensatory and punitive damages in an amount to be assessed by the trier of fact. Punitive damages should be

awarded to Plaintiff in an amount which will adequately reflect the enormity of the Defendant's wrongful acts and or omissions and which will effectively prevent other similar wrongful acts and omissions.

COUNT IV
RESPONDEAT SUPERIOR

17. The Plaintiff EDDIE JAMES POLLNITZ re-alleges and adopts all averments stated in the complaint from paragraph 1-16 and further allege as follows:

18. WILLIAMS was operating a motor vehicle in the line and scope of his employment for BIG LEVEL TRUCKING, INC. and was an agent and or employee of BIG LEVEL TRUCKING, INC. BIG LEVEL TRUCKING, INC was the master or principal of WILLIAMS and BIG LEVEL TRUCKING, INC. is vicariously liable for his actions. Defendants' negligent and or wanton conduct was a proximate cause of the Plaintiff's injuries and damages. This negligent and or wanton conduct was a proximate cause of the Plaintiff's injuries as alleged in the aforementioned paragraphs A-E.

WHEREFORE WITH ALL PREMISES CONSIDERED, Plaintiff EDDIE JAMES POLLNITZ demands a judgment against the Defendants BIG LEVEL TRUCKING, INC./WILLIAMS jointly and severally, whether specifically or fictitiously named, compensatory and punitive damages in an amount to be assessed by the trier of fact. Punitive damages should be awarded to Plaintiff in an amount which will adequately reflect the enormity of the Defendant's wrongful acts and or omissions and which will effectively prevent other similar wrongful acts and omissions.

COUNT V
NEGLIGENT SUPERVISION, HIRING and MAINTENANCE

19. The Plaintiff EDDIE JAMES POLLNITZ re-alleges and adopts all averments stated in the complaint from paragraph 1-18 and further allege as follows:

20. The Defendant WILLIAMS, who is a truck driver for Defendant BIG LEVEL TRUCKING, INC., was negligent and or wanton in hiring, training or supervising personnel, staff or independent contractors to operate trucks owned by BIG LEVEL TRUCKING, INC. Defendant BIG LEVEL TRUCKING, INC. negligent and or wanton conduct was a proximate cause of the Plaintiff's injuries and damages described in the aforementioned paragraphs.

WHEREFORE WITH ALL PREMISES CONSIDERED, Plaintiff demands a judgment against the Defendants BIG LEVEL TRUCKING, INC./WILLIAMS jointly and severally, whether specifically or fictitiously named, compensatory and punitive damages in an amount to be assessed by the trier of fact. Punitive damages should be awarded to Plaintiff in an amount which will adequately reflect the enormity of the Defendant's wrongful acts and or omissions and which will effectively prevent other similar wrongful acts and omissions.

Respectfully submitted,
/s/ Antonio D. Spurling
Antonio D. Spurling, Esq. (SPU006)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL
SPURLING LAW FIRM, LLC
406 19th Street, Suite 100
Birmingham, ALABAMA 35218
Telephone: (205) 788-7006

Respectfully submitted,
s/Ronnie Rice, Esquire
Ronnie O. Rice, Esq. (RIC115)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL

Law office of Ronnie Rice

115 Richard Arrington Jr., Blvd. N.
Birmingham, Al 35203
Telephone: (205) 222-9815
Facsimile: (205) 278-8538

**PLEASE SERVE THE DEFENDANTS VIA CERTIFIED MAIL AT THE
ADDRESSES LISTED BELOW WITH THE ABOVE LAWSUIT COMPLAINT,
DISCOVERY AND THE ATTACHED SUMMONS:**

LARRY LEE WILLIAMS
4297 Elmridge Street
Memphis, TN 38118

BIG LEVEL TRUCKING INCORPORATED
ATTN: S H Evans, Registered Agent
1727 Dummy Line Road
Wiggins, MS 39577

**IN THE CIRCUIT COURT OF JEFFERSON COUNTY
BIRMINGHAM DIVISION**

EDDIE JAMES POLLNITZ,

Plaintiff,

v.

**LARRY LEE WILLIAMS,
BIG LEVEL TRUCKING
INCORPORATED**

Defendants.

CIVIL ACTION NO.:

SUMMONS

To any sheriff or any person authorized by either Rules 4.1(b)(2) or 4.2(b)(2) or 4.4(b)(2) of the Alabama Rules of Civil Procedure to effect service. You are hereby commanded to serve this summons and a copy of the complaint in the action upon the defendant:

**BIG LEVEL TRUCKING INCORPORATED
ATTN: S H Evans, Registered Agent
1727 Dummy Line Road
Wiggins, MS 39577**

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO MAIL OR HAND DELIVER A COPY OF A WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT TO THE PLAINTIFF'S ATTORNEY ANTONIO D. SPURLING, WHOSE ADDRESS IS 406 19th STREET , SUITE 100, BIRMINGHAM ALABAMA 35218. THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN THIRTY (30) DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT. YOU MUST ALSO FILE THE ORIGINAL OR YOUR ANSWER WITH THE CLERK OF COURT.

DATE

CLERK/REGISTER

RETURN OF SERVICE

I certify that I personally delivered a copy of the Summons and Complaint to BIG LEVEL TRUCKING INCORPORATED in _____ on (date) _____.

Address of Server:

SIGNATURE OF SERVER

TYPE OF PROCESS SERVER

**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
BIRMINGHAM DIVISION**

EDDIE JAMES POLLNITZ,

Plaintiff,

v.

LARRY LEE WILLIAMS,

BIG LEVEL TRUCKING

INCORPORATED

Defendants.

CIVIL ACTION NO.:

SUMMONS

To any sheriff or any person authorized by either Rules 4.1(b)(2) or 4.2(b)(2) or 4.4(b)(2) of the Alabama Rules of Civil Procedure to effect service. You are hereby commanded to serve this summons and a copy of the complaint in the action upon the defendant:

**LARRY LEE WILLIAMS
4297 Elmridge Street
Memphis, TN 38118**

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO MAIL OR HAND DELIVER A COPY OF A WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT TO THE PLAINTIFF'S ATTORNEY ANTONIO D. SPURLING, WHOSE ADDRESS IS 406 19th STREET , SUITE 100, BIRMINGHAM ALABAMA 35218. THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN THIRTY (30) DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT. YOU MUST ALSO FILE THE ORIGINAL OR YOUR ANSWER WITH THE CLERK OF COURT.

DATE

CLERK/REGISTER

RETURN OF SERVICE

I certify that I personally delivered a copy of the Summons and Complaint to LARRY LEE WILLIAMS _____ on (date) _____.

Address of Server:

SIGNATURE OF SERVER

TYPE OF PROCESS SERVER



**IN THE CIRCUIT COURT OF JEFFERSON COUNTY
BIRMINGHAM DIVISION**

EDDIE JAMES POLLNITZ,

Plaintiff,

v.

**LARRY LEE WILLIAMS,
BIG LEVEL TRUCKING
INCORPORATED**

Defendants.

CIVIL ACTION NO.:

NOTICE OF SERVICE OF DISCOVERY DOCUMENTS

TO: Jacqueline Anderson-Smith
Clerk-Circuit Court of Jefferson County
716 Richard Arrington Blvd N
Birmingham, AL 35203

Please take notice that the following discovery documents have been filed and propounded upon Defendants' LARRY LEE WILLIAMS and BIG LEVEL TRUCKING, INC. on behalf of the Plaintiffs:

- ☒ Interrogatories to Defendants
LARRY LEE WILLIAMS and BIG LEVEL TRUCKING, INC.
- ☐ Answers to Interrogatories
- ☐ Answers to Supplemental Interrogatories
- ☒ Requests for Production of Documents to Defendants
LARRY LEE WILLIAMS and BIG LEVEL TRUCKING, INC.
- ☐ Response to Requests for Production of Documents
- ☒ Request for Admissions to Defendants
LARRY LEE WILLIAMS and BIG LEVEL TRUCKING, INC.
- ☐ Response to Request for Admissions
- ☐ Notice of Intent to Serve Subpoena
- ☒ Notice of Deposition for
LARRY LEE WILLIAMS and BIG LEVEL TRUCKING, INC.

Dated this the 21st day of January, 2022

Respectfully submitted,
/s/ Antonio D. Spurling
Antonio D. Spurling, Esq. (SPU006)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL

SPURLING LAW FIRM, LLC
406 19th Street, Suite 100
Birmingham, ALABAMA 35218

Respectfully submitted,
s/Ronnie Rice, Esquire
Ronnie O. Rice, Esq. (RIC115)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL

Law office of Ronnie Rice

115 Richard Arrington Jr., Blvd. N.
Birmingham, Al 35203
Telephone: (205) 222-9815
Facsimile: (205) 278-8538

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of January 2022, I electronically filed the foregoing with the Clerk of the Court using the Alabama e-filing system which will send notification of such filing; and I hereby certify that any non e-filing system participants to whom the foregoing is due will have a copy of the same placed in the United States mail, first class postage prepaid and properly addressed this same day and or served by certified mail with the lawsuit complaint.

LARRY LEE WILLIAMS

4297 Elmridge Street
Memphis, TN 38118

BIG LEVEL TRUCKING INCORPORATED

ATTN: S H Evans, Registered Agent

1727 Dummy Line Road
Wiggins, MS 39577

/s/ Antonio D. Spurling
Of Counsel



**IN THE CIRCUIT COURT OF JEFFERSON COUNTY
BIRMINGHAM DIVISION**

EDDIE JAMES POLLNITZ,

Plaintiff,

v.

**LARRY LEE WILLIAMS,
BIG LEVEL TRUCKING
INCORPORATED**

Defendants.

CIVIL ACTION NO.:

**PLAINTIFF'S FIRST SET INTERROGATORIES TO DEFENDANT
LARRY LEE WILLIAMS**

COMES NOW, the Plaintiff in the above style case, pursuant to Rule 33 of the Alabama Rules of Civil Procedure and propounds the following Interrogatories to the Defendant LARRY LEE WILLIAMS to be answered in writing and under oath:

INSTRUCTIONS

1. In answering these interrogatories, you are required to furnish all information available to you or subject to reasonable inquiry by you, including, but not limited to, information in your possession, the possession of your attorneys, advisors or other persons directly or indirectly employed by you, your attorney, or anyone else otherwise subject to your control.

2. If any requested information/document is withheld because you claim it is privileged or otherwise shielded from discovery in this action, for each such instance state the following:

- (a) Its title, or, if it has no title, its subject matter, or identifying number;
- (b) Its date or origin of preparation;
- (c) Its author;
- (d) To whom addressed;

- (e) All copied addressees;
- (f) All other persons who have received, copied, or otherwise been permitted to see all or part of the original or any copy thereof;
- (g) The description of the subject matter discussed, described, referred to therein;
- (h) The factual and legal basis on which every privilege is claimed;
- (i) The identity of the custodian of the document and/or any copies thereof;
- (j) A brief summary of its substance;

In addition to the instructions pertaining to the Interrogatory, if the Plaintiff chooses to attach documents in lieu of an answer to a specific interrogatory, Defendants request that each document be segregated, organized, identified and specified with respect to the particular numbered request and response to which the documents are being produced.

DEFINITIONS

1. “You” or “Yours” means the party to whom these requests are made, including, agents, attorneys or any other persons acting or purporting to act on behalf of said party.
2. “Identify” or “Identification” shall mean: (i) when used in reference to a natural person, the person’s full name, present or last known address, present or last known position, and title and employer or business affiliation; (ii) when used in reference to a business entity, the entity’s name and address, its principal place of business, and the legal nature of the entity (i.e., corporation, partnership, etc.); (iii) when used in reference to a document, the description (i.e., letter, memorandum, report, etc.), its title and date, the number of pages thereof, the subject matter and author, the person or persons to whom it was directed, and its present location and the identity of the person or entity presently having possession, control or custody of such documents.

3. “Specify in all possible detail” means to provide a detailed specification and factual description of the subject matter about which inquiry is made, using the simplest and most factual statements of which you are capable.
4. “Document(s)” means any medium upon which intelligence or information can be recorded or retrieved and includes, without limitation, the original and each copy, regardless of origin and location of any book, pamphlet, periodical, letter, memorandum (including any memorandum or report of a meeting or a conversation), invoice, bill, order form, receipt, financial statement, accounting entry, diary, calendar, telex, telegram, cable, report, record, contract, agreement, study, handwritten note, draft, working paper, chart, paper, print, laboratory record, drawing, sketch, graph, index, list, tape, photograph, microfilm, data sheet or data processing card, or any other written, recorded, transcribed, punched, taped, filmed or graphic matter, however produced or reproduced, which is in your possession, custody or control, or which has, but is no longer, in your possession, custody or control.
5. Plural words include the singular equivalent and singular words include the plural equivalent.
6. “And” includes the disjunctive “or” and “or” includes the conjunctive “and.”

DUTY TO SUPPLEMENT

You are under a duty seasonably to supplement, update and amend your responses and answers to the following discovery in the following categories:

- (a) Any request or question directly addressed to:
- (1) the identity and location of persons having knowledge of discoverable matters, and
 - (2) the identity of each person expected to be called as an expert witness at the trial, the subject matter on which each person is expected to testify, and the substance of their testimony.

- (b) Any response or answer to questions or requests, if you obtain information upon the basis of which:
- (1) you know that the prior response was incorrect when made, or
 - (2) you know that the response when made is no longer true and the circumstances are such that a failure to amend the response is in substance of knowing concealment.

INTERROGATORIES

1. State your full name, address, date of birth, and social security number.
2. Please state your cell phone number(s) and cell phone carrier information.
3. Please state the name, address, account number and cellular telephone number that was in your possession on the date of the motor vehicle collision which made the basis of this lawsuit.
4. Were you the operator of a motor vehicle that was involved in a motor vehicle collision at the time and place alleged in Plaintiffs' complaint?
5. If so, give a full and complete description of the vehicle you were driving at the time of the collision.
6. What were your activities during the last 24 hours preceding the collision?
7. At the time and place of the pedestrian-motor vehicle collision, were you the named insured in any policies of liability insurance?
- 7a. If you answered in the affirmative to # 7, please state the names, policy number, limits of any and all automotive and or umbrella insurance policies in force at the time of the collision which made the basis of this lawsuit.

8. Were you employed at the time of the collision?

a. If so, give the name, address, and business of your employer.

9. If the answer to either of the foregoing questions is “yes”, state the following with respect to each of such policies of liability insurance:

a. the name and address of the company issuing such policy;

b. the number of such policy;

c. the name insured under such policy;

d. The nature and extent of the insurance coverage which protects you against the risk of this suit;

e. the amount of policy limits.

10. At the scene of the motor vehicle collision was the traffic controlled by signal lights, public officers, signs, or other means?

11. If so, state:

a. The nature of the controls;

b. The location thereof in relation to the point of impact.

12. Please give your version of how the motor vehicle collision occurred including the following information:

a. the exact time of the occurrence;

b. The place of occurrence giving the definite location in reference to identifiable stationary objects setting forth the distance, if known, from an such object;

c. The direction of travel of Plaintiff at the time of the collision;

d. Plaintiffs’ physical location immediately prior to the collision;

e. Your direction of travel and physical location immediately prior to the collision;

f. Plaintiffs’ actions at the time of the collisions;

g. Your actions at the time of the collisions.

13. For what distance did you have a clear view as you approached the scene of the collision?

14. When you first saw the Plaintiff please state:

- a. The location of your vehicle and its distance from Plaintiff and the point of impact;
- b. The location of Plaintiff in relation to the position of your vehicle and to the point of impact;
- c. The speed of your vehicle.

15. What, if anything, was done by you in the operation of your vehicle in an attempt to avoid the collision?

16. If you were not the registered owner of said automobile at the time of the collision, state if you were driving the automobile:

- a. With the permission and consent of the registered owner;
- b. Under any other claimed authority and if so, the nature of the authority.

17. Did you have the permission of the owner to drive such vehicle?

- a. Generally;
- b. At the specific time of the collision?

18. If your authority to operate or use said automobile was general or at the time of the collision was it restricted or limited in any respect by the owner, and if so, describe in detail the nature of these restrictions or limitations.

19. With respect to the trip you were making at the time of the collision, state:

- a. the name and address of each and every person who had any interest therein;
- b. the nature of each such interest;
- c. the connection of each person with the trip in question.

20. Were you talking on a cell phone at the time of the collision?

21. Were you texting on a cell phone at the time of the collision?
22. What were your activities during the last 24 hours preceding the collision?
23. Did you apply brakes immediately prior to the collision?
24. If so, please state:
 - a. the distance in feet from the point of impact when your brakes were first applied;
 - b. The distance in feet traveled by your vehicle from the point of application of your brakes to your stopping point.
25. What physical part of the Plaintiff and your vehicle came into contact with each other as result of the collision?
26. Describe the path of travel of your vehicle after the collision until it came to a final resting place.
27. Did you have a conversation with any of the police officers who investigated the collision, at the scene of the pedestrian-motor vehicle collision?
28. If so, please state:
 - a. The name and badge number of each officer;
 - b. The substance of the conversation.
29. Did you or any of your representatives obtain any statements from you, the Plaintiff, or any other person regarding any of the events or happenings that occurred at the scene of the collision, either immediately before, at the time of, or following said collision?
30. If so, identify each such statement by specifying:
 - a. the date of which it was taken;
 - b. the name, business address, occupation, business and telephone numbers of each person who:

c. took the statement;

31. Do you deny that you were negligent in the collision involved herein?

32. If so, what is the basis of your denial of negligence?

33. Please state the name and address of every person who supplied you with information or assisted you in any with the answering these interrogatories.

34. Have you been advised that you are answering these interrogatories under oath and that the information contained therein can be used as evidence in the trial of this case?

Respectfully submitted,
/s/Antonio D. Spurling
ANTONIO D. SPURLING (SPU006)
Attorney for Plaintiff

OF COUNSEL:
SPURLING LAW FIRM, LLC
406 19th Street, Suite 100
Birmingham, AL 35218
Tel: 205.788.7006
Fax: 205.725.6052
e-mail: aspurling.esq@gmail.com

Respectfully submitted,
/s/ Antonio D. Spurling
Antonio D. Spurling, Esq. (SPU006)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL
SPURLING LAW FIRM, LLC
406 19th Street, Suite 100
Birmingham, ALABAMA 35218
Telephone: (205) 788-7006
Facsimile: (205) 725-6052

Respectfully submitted,
s/Ronnie Rice, Esquire
Ronnie O. Rice, Esq. (RIC115)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL
Law office of Ronnie Rice
115 Richard Arrington Jr., Blvd. N.
Birmingham, Al 35203
Telephone: (205) 222-9815
Facsimile: (205) 278-8538

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of January 2022, I electronically filed the foregoing with the Clerk of the Court using the Alabama e-filing system which will send notification of such filing; and I hereby certify that any non e-filing system participants to whom the foregoing is due will have a copy of the same placed in the United States mail, first class postage prepaid and properly addressed this same day and or served by certified mail with the lawsuit complaint.

LARRY LEE WILLIAMS
4297 Elmridge Street
Memphis, TN 38118

BIG LEVEL TRUCKING INCORPORATED
ATTN: S H Evans, Registered Agent
1727 Dummy Line Road
Wiggins, MS 39577

/s/ Antonio D. Spurling
Of Counsel



**IN THE CIRCUIT COURT OF JEFFERSON COUNTY
BIRMINGHAM DIVISION**

EDDIE JAMES POLLNITZ,

Plaintiff,

v.

**LARRY LEE WILLIAMS,
BIG LEVEL TRUCKING
INCORPORATED**

Defendants.

CIVIL ACTION NO.:

**PLAINTIFF'S FIRST SET INTERROGATORIES TO DEFENDANT
LARRY LEE WILLIAMS**

COMES NOW, the Plaintiff in the above style case, pursuant to Rule 33 of the Alabama Rules of Civil Procedure and propounds the following Interrogatories to the Defendant LARRY LEE WILLIAMS to be answered in writing and under oath:

INSTRUCTIONS

1. In answering these interrogatories, you are required to furnish all information available to you or subject to reasonable inquiry by you, including, but not limited to, information in your possession, the possession of your attorneys, advisors or other persons directly or indirectly employed by you, your attorney, or anyone else otherwise subject to your control.

2. If any requested information/document is withheld because you claim it is privileged or otherwise shielded from discovery in this action, for each such instance state the following:

- (a) Its title, or, if it has no title, its subject matter, or identifying number;
- (b) Its date or origin of preparation;
- (c) Its author;
- (d) To whom addressed;

- (e) All copied addressees;
- (f) All other persons who have received, copied, or otherwise been permitted to see all or part of the original or any copy thereof;
- (g) The description of the subject matter discussed, described, referred to therein;
- (h) The factual and legal basis on which every privilege is claimed;
- (i) The identity of the custodian of the document and/or any copies thereof;
- (j) A brief summary of its substance;

In addition to the instructions pertaining to the Interrogatory, if the Plaintiff chooses to attach documents in lieu of an answer to a specific interrogatory, Defendants request that each document be segregated, organized, identified and specified with respect to the particular numbered request and response to which the documents are being produced.

DEFINITIONS

1. “You” or “Yours” means the party to whom these requests are made, including, agents, attorneys or any other persons acting or purporting to act on behalf of said party.
2. “Identify” or “Identification” shall mean: (i) when used in reference to a natural person, the person’s full name, present or last known address, present or last known position, and title and employer or business affiliation; (ii) when used in reference to a business entity, the entity’s name and address, its principal place of business, and the legal nature of the entity (i.e., corporation, partnership, etc.); (iii) when used in reference to a document, the description (i.e., letter, memorandum, report, etc.), its title and date, the number of pages thereof, the subject matter and author, the person or persons to whom it was directed, and its present location and the identity of the person or entity presently having possession, control or custody of such documents.

3. “Specify in all possible detail” means to provide a detailed specification and factual description of the subject matter about which inquiry is made, using the simplest and most factual statements of which you are capable.
4. “Document(s)” means any medium upon which intelligence or information can be recorded or retrieved and includes, without limitation, the original and each copy, regardless of origin and location of any book, pamphlet, periodical, letter, memorandum (including any memorandum or report of a meeting or a conversation), invoice, bill, order form, receipt, financial statement, accounting entry, diary, calendar, telex, telegram, cable, report, record, contract, agreement, study, handwritten note, draft, working paper, chart, paper, print, laboratory record, drawing, sketch, graph, index, list, tape, photograph, microfilm, data sheet or data processing card, or any other written, recorded, transcribed, punched, taped, filmed or graphic matter, however produced or reproduced, which is in your possession, custody or control, or which has, but is no longer, in your possession, custody or control.
5. Plural words include the singular equivalent and singular words include the plural equivalent.
6. “And” includes the disjunctive “or” and “or” includes the conjunctive “and.”

DUTY TO SUPPLEMENT

You are under a duty seasonably to supplement, update and amend your responses and answers to the following discovery in the following categories:

- (a) Any request or question directly addressed to:
- (1) the identity and location of persons having knowledge of discoverable matters, and
 - (2) the identity of each person expected to be called as an expert witness at the trial, the subject matter on which each person is expected to testify, and the substance of their testimony.

- (b) Any response or answer to questions or requests, if you obtain information upon the basis of which:
- (1) you know that the prior response was incorrect when made, or
 - (2) you know that the response when made is no longer true and the circumstances are such that a failure to amend the response is in substance of knowing concealment.

INTERROGATORIES

1. State your full name, address, date of birth, and social security number.
2. Please state your cell phone number(s) and cell phone carrier information.
3. Please state the name, address, account number and cellular telephone number that was in your possession on the date of the motor vehicle collision which made the basis of this lawsuit.
4. Were you the operator of a motor vehicle that was involved in a motor vehicle collision at the time and place alleged in Plaintiffs' complaint?
5. If so, give a full and complete description of the vehicle you were driving at the time of the collision.
6. What were your activities during the last 24 hours preceding the collision?
7. At the time and place of the pedestrian-motor vehicle collision, were you the named insured in any policies of liability insurance?
- 7a. If you answered in the affirmative to # 7, please state the names, policy number, limits of any and all automotive and or umbrella insurance policies in force at the time of the collision which made the basis of this lawsuit.

8. Were you employed at the time of the collision?

a. If so, give the name, address, and business of your employer.

9. If the answer to either of the foregoing questions is “yes”, state the following with respect to each of such policies of liability insurance:

a. the name and address of the company issuing such policy;

b. the number of such policy;

c. the name insured under such policy;

d. The nature and extent of the insurance coverage which protects you against the risk of this suit;

e. the amount of policy limits.

10. At the scene of the motor vehicle collision was the traffic controlled by signal lights, public officers, signs, or other means?

11. If so, state:

a. The nature of the controls;

b. The location thereof in relation to the point of impact.

12. Please give your version of how the motor vehicle collision occurred including the following information:

a. the exact time of the occurrence;

b. The place of occurrence giving the definite location in reference to identifiable stationary objects setting forth the distance, if known, from an such object;

c. The direction of travel of Plaintiff at the time of the collision;

d. Plaintiffs’ physical location immediately prior to the collision;

e. Your direction of travel and physical location immediately prior to the collision;

f. Plaintiffs’ actions at the time of the collisions;

g. Your actions at the time of the collisions.

13. For what distance did you have a clear view as you approached the scene of the collision?

14. When you first saw the Plaintiff please state:

- a. The location of your vehicle and its distance from Plaintiff and the point of impact;
- b. The location of Plaintiff in relation to the position of your vehicle and to the point of impact;
- c. The speed of your vehicle.

15. What, if anything, was done by you in the operation of your vehicle in an attempt to avoid the collision?

16. If you were not the registered owner of said automobile at the time of the collision, state if you were driving the automobile:

- a. With the permission and consent of the registered owner;
- b. Under any other claimed authority and if so, the nature of the authority.

17. Did you have the permission of the owner to drive such vehicle?

- a. Generally;
- b. At the specific time of the collision?

18. If your authority to operate or use said automobile was general or at the time of the collision was it restricted or limited in any respect by the owner, and if so, describe in detail the nature of these restrictions or limitations.

19. With respect to the trip you were making at the time of the collision, state:

- a. the name and address of each and every person who had any interest therein;
- b. the nature of each such interest;
- c. the connection of each person with the trip in question.

20. Were you talking on a cell phone at the time of the collision?

21. Were you texting on a cell phone at the time of the collision?
22. What were your activities during the last 24 hours preceding the collision?
23. Did you apply brakes immediately prior to the collision?
24. If so, please state:
- a. the distance in feet from the point of impact when your brakes were first applied;
 - b. The distance in feet traveled by your vehicle from the point of application of your brakes to your stopping point.
25. What physical part of the Plaintiff and your vehicle came into contact with each other as result of the collision?
26. Describe the path of travel of your vehicle after the collision until it came to a final resting place.
27. Did you have a conversation with any of the police officers who investigated the collision, at the scene of the pedestrian-motor vehicle collision?
28. If so, please state:
- a. The name and badge number of each officer;
 - b. The substance of the conversation.
29. Did you or any of your representatives obtain any statements from you, the Plaintiff, or any other person regarding any of the events or happenings that occurred at the scene of the collision, either immediately before, at the time of, or following said collision?
30. If so, identify each such statement by specifying:
- a. the date of which it was taken;
 - b. the name, business address, occupation, business and telephone numbers of each person who:

c. took the statement;

31. Do you deny that you were negligent in the collision involved herein?

32. If so, what is the basis of your denial of negligence?

33. Please state the name and address of every person who supplied you with information or assisted you in any with the answering these interrogatories.

34. Have you been advised that you are answering these interrogatories under oath and that the information contained therein can be used as evidence in the trial of this case?

Respectfully submitted,
/s/Antonio D. Spurling
ANTONIO D. SPURLING (SPU006)
Attorney for Plaintiff

OF COUNSEL:
SPURLING LAW FIRM, LLC
406 19th Street, Suite 100
Birmingham, AL 35218
Tel: 205.788.7006
Fax: 205.725.6052
e-mail: aspurling.esq@gmail.com

Respectfully submitted,
/s/ Antonio D. Spurling
Antonio D. Spurling, Esq. (SPU006)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL
SPURLING LAW FIRM, LLC
406 19th Street, Suite 100
Birmingham, ALABAMA 35218
Telephone: (205) 788-7006
Facsimile: (205) 725-6052

Respectfully submitted,
s/Ronnie Rice, Esquire
Ronnie O. Rice, Esq. (RIC115)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL
Law office of Ronnie Rice
115 Richard Arrington Jr., Blvd. N.
Birmingham, Al 35203
Telephone: (205) 222-9815
Facsimile: (205) 278-8538

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of January 2022, I electronically filed the foregoing with the Clerk of the Court using the Alabama e-filing system which will send notification of such filing; and I hereby certify that any non e-filing system participants to whom the foregoing is due will have a copy of the same placed in the United States mail, first class postage prepaid and properly addressed this same day and or served by certified mail with the lawsuit complaint.

LARRY LEE WILLIAMS
4297 Elmridge Street
Memphis, TN 38118

BIG LEVEL TRUCKING INCORPORATED
ATTN: S H Evans, Registered Agent
1727 Dummy Line Road
Wiggins, MS 39577

/s/ Antonio D. Spurling
Of Counsel

**IN THE CIRCUIT COURT OF JEFFERSON COUNTY
BIRMINGHAM DIVISION**

EDDIE JAMES POLLNITZ,

Plaintiff,

v.

**LARRY LEE WILLIAMS,
BIG LEVEL TRUCKING
INCORPORATED
Defendants.**

CIVIL ACTION NO.:

**PLAINTIFFS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS FOR LARRY
LEE WILLIAMS**

COMES NOW, the Plaintiffs, by and through counsel, pursuant to Rule 34 of the Alabama Rules of Civil Procedure, and hereby request the Defendant LARRY LEE WILLIAMS to produce the following pursuant to the *Alabama Rules of Civil Procedure*:

1. Please produce all documents evidencing claims and defenses made on your behalf by any of your representatives.
2. Please produce any and all statements, affidavits, recordings of the Plaintiffs, Defendant and or any witnesses of the wreck which occurred between the Plaintiffs, Defendant or any insurance company.
3. Please produce true and exact copies of any and all insurance policies that were in force with applicable coverage insuring this Defendant.
4. Please produce true and exact color copies of any photographs depicting the wreck scene and your vehicle that you were operating at the time of the collision in Jefferson County, Alabama on or about October 12, 2021.
5. Please produce true and exact color copies of any photographs of the Defendant's vehicle depicting damage resulting from the wreck which made the basis of said wreck.

6. Please produce a true and exact copy of your driver's license.
7. Please produce a true and exact copy of your automobile insurance cards.

Respectfully submitted,
/s/Antonio D. Spurling
ANTONIO D. SPURLING (SPU006)
Attorney for Plaintiff

OF COUNSEL:
SPURLING LAW FIRM, LLC
406 19th Street, Suite 100
Birmingham, AL 35218
Tel: 205.788.7006
Fax: 205.725.6052
e-mail: aspurling.esq@gmail.com

Respectfully submitted,
/s/ Antonio D. Spurling
Antonio D. Spurling, Esq. (SPU006)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL
SPURLING LAW FIRM, LLC
406 19th Street, Suite 100
Birmingham, ALABAMA 35218
Telephone: (205) 788-7006
Facsimile: (205) 725-6052

Respectfully submitted,
s/Ronnie Rice, Esquire
Ronnie O. Rice, Esq. (RIC115)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL
Law office of Ronnie Rice
115 Richard Arrington Jr., Blvd. N.
Birmingham, Al 35203
Telephone: (205) 222-9815
Facsimile: (205) 278-8538

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of January 2022, I electronically filed the foregoing with the Clerk of the Court using the Alabama e-filing system which will send notification of such filing; and I hereby certify that any non e-filing system participants to whom the foregoing is due will have a copy of the same placed in the United States mail, first class postage prepaid and properly addressed this same day and or served by certified mail with the lawsuit complaint.

LARRY LEE WILLIAMS
4297 Elmridge Street
Memphis, TN 38118

BIG LEVEL TRUCKING INCORPORATED
ATTN: S H Evans, Registered Agent
1727 Dummy Line Road
Wiggins, MS 39577

/s/ Antonio D. Spurling
Of Counsel



**IN THE CIRCUIT COURT OF JEFFERSON COUNTY
BIRMINGHAM DIVISION**

EDDIE JAMES POLLNITZ,

Plaintiff,

v.

**LARRY LEE WILLIAMS,
BIG LEVEL TRUCKING
INCORPORATED**

Defendants.

CIVIL ACTION NO.:

**PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS FOR
DEFENDANT BIG LEVEL TRUCKING INCORPORATED**

COMES NOW, the Plaintiffs, by and through counsel, pursuant to Rule 34 of the Alabama Rules of Civil Procedure, and hereby request the Defendant Big Level Trucking Incorporated to produce the following within forty-five (45) days:

1. Please produce all documents evidencing claims and defenses made on your behalf by any of your representatives.
2. Please produce any and all statements, affidavits, recordings of the Plaintiff, Defendant and or any witnesses of the wreck which occurred between the Plaintiff and Defendant.
3. Please produce true and exact copies of any and all general, excess and/or umbrella insurance policies that were in force with applicable coverage insuring the Defendants.
4. Please produce true and exact color copies of any photographs depicting the wreck scene.
5. Please produce true and exact color copies of any photographs of the Defendant's vehicle depicting damage resulting from the wreck that occurred on October 12, 2021.
6. Please produce any estimates of the damages to the Defendant's vehicle.

7. Please produce any and all employment contracts between Big Level Trucking Incorporated and Defendant Larry Lee Williams.
8. Please produce any lease agreements and/or contracts that were in effect at the time of the occurrence between this Defendant Big Level Trucking Incorporated and any other Defendant or entity regarding the scope and use of the vehicle involved in the occurrence.
9. Please produce a complete and entire copy of the employment file of Larry Lee Williams since his beginning date of employment to the present date.
10. Please produce a complete and entire copy of the employee handbook that was enforce at the beginning date of employment and through the present date regarding Larry Lee Williams with Big Level Trucking Incorporated.
11. Please produce a complete and entire copy of the training manual for a mechanic with Big Level Trucking Incorporated.
12. Please produce a copy of the time clock ledger, record or print out for any arrival and/or departure time of Larry Lee Williams from the premises of Big Level Trucking Incorporated for the date of October 12, 2021.

Respectfully submitted,
/s/ Antonio D. Spurling
Antonio D. Spurling, Esq. (SPU006)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL
SPURLING LAW FIRM, LLC
406 19th Street, Suite 100
Birmingham, ALABAMA 35218
Telephone: (205) 788-7006
Facsimile: (205) 725-6052

Respectfully submitted,
s/Ronnie Rice, Esquire
Ronnie O. Rice, Esq. (RIC115)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL
Law office of Ronnie Rice
115 Richard Arrington Jr., Blvd. N.
Birmingham, Al 35203
Telephone: (205) 222-9815
Facsimile: (205) 278-8538

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of January 2022, I electronically filed the foregoing with the Clerk of the Court using the Alabama e-filing system which will send notification of such filing; and I hereby certify that any non e-filing system participants to whom the foregoing is due will have a copy of the same placed in the United States mail, first class postage prepaid and properly addressed this same day and or served by certified mail with the lawsuit complaint.

LARRY LEE WILLIAMS
4297 Elmridge Street
Memphis, TN 38118

BIG LEVEL TRUCKING INCORPORATED
ATTN: S H Evans, Registered Agent
1727 Dummy Line Road
Wiggins, MS 39577

/s/ Antonio D. Spurling
Of Counsel

**IN THE CIRCUIT COURT OF JEFFERSON COUNTY
BIRMINGHAM DIVISION**

EDDIE JAMES POLLNITZ,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.:
)	
LARRY LEE WILLIAMS,)	
BIG LEVEL TRUCKING)	
INCORPORATED)	
Defendants.)	

**PLAINTIFFS' FIRST REQUEST FOR ADMISSIONS FOR LARRY LEE
WILLIAMS**

COMES NOW, the Plaintiffs, by and through counsel, pursuant to Rule 36 of the *Alabama Rules of Civil Procedure*, request for the Defendant LARRY LEE WILLIAMS to admit or deny to the following in writing and under oath:

1. Please admit that you were involved in a motor vehicle wreck with the Plaintiff EDDIE JAMES POLLNITZ on October 12, 2021 in Jefferson County, Alabama.
2. Please admit that on the date of said wreck you were driving a 2020 INTL TR Truck with a Mississippi license plate number A479146.
3. Please admit that you are the registered owner of the 2020 INTL TR Truck bearing VIN No. 3HSDZAPR9LN374014.
4. Please admit that immediately prior to collision, you failed to pay proper attention to the roadway at or near the intersection of Arkadelphia Rd Off Ramp within the City limits of Birmingham, Alabama located in Jefferson County thereby colliding into Plaintiff Eddie James Pollnitz causing property damage and personal injuries in the motor vehicle collision.
5. Please admit that your actions were the sole and proximate cause of the October 12, 2021 motor vehicle collision.

6. Please admit that the vehicle that you were driving struck the passenger side rear of Plaintiff Eddie James Pollnitz 2007 Toyota Avalon XL bearing VIN No. 4T1BK36B67U244635 on the date of the motor vehicle collision.

7. Please admit that no other vehicle contributed to the cause of the October 12, 2021 motor vehicle collision.

8. Please admit that the Plaintiffs personal injuries were a result of the motor vehicle collision caused by you.

9. Please admit that you have personal knowledge that the Plaintiffs personal injuries as a result of the collision which took place on October 12, 2021.

9a. Please admit that the vehicle driven by you on October 12, 2021 collided into the passenger side rear of the vehicle driven by Plaintiff Eddie James Pollnitz

10. Please admit that you have no basis to assert a defense or affirmative defense to the subject wreck, lack of personal jurisdiction, lack of subject matter jurisdiction.

Respectfully submitted,
/s/ Antonio D. Spurling
Antonio D. Spurling, Esq. (SPU006)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL
SPURLING LAW FIRM, LLC
406 19th Street, Suite 100
Birmingham, ALABAMA 35218
Telephone: (205) 788-7006
Facsimile: (205) 725-6052

Respectfully submitted,
s/Ronnie Rice, Esquire
Ronnie O. Rice, Esq. (RIC115)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL
Law office of Ronnie Rice
115 Richard Arrington Jr., Blvd. N.
Birmingham, Al 35203
Telephone: (205) 222-9815
Facsimile: (205) 278-8538

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of January 2022, I electronically filed the foregoing with the Clerk of the Court using the Alabama e-filing system which will send notification of such filing; and I hereby certify that any non e-filing system participants to whom the foregoing is due will have a copy of the same placed in the United States mail, first class postage prepaid and properly addressed this same day and or served by certified mail with the lawsuit complaint.

LARRY LEE WILLIAMS
4297 Elmridge Street
Memphis, TN 38118

BIG LEVEL TRUCKING INCORPORATED
ATTN: S H Evans, Registered Agent
1727 Dummy Line Road
Wiggins, MS 39577

/s/ Antonio D. Spurling
Of Counsel

**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
BIRMINGHAM DIVISION**

EDDIE JAMES POLLNITZ,

Plaintiff,

v.

**LARRY LEE WILLIAMS,
BIG LEVEL TRUCKING
INCORPORATED
Defendants.**

)
)
)
)
)
)
)
)
)
)

CIVIL ACTION NO.:

**PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS TO DEFENDANT
BIG LEVEL TRUCKING INCORPORATED**

COMES NOW, the Plaintiffs, by and through counsel, pursuant to Rule 36 of the Alabama Rules of Civil Procedure, request for the Defendant Big Level Trucking Incorporated to admit or deny to the following in writing and under oath within forty-five (45) days:

1. Please admit that you permitted Defendant Larry Lee Williams to operate a 2020 INTL TR Truck bearing VIN No.: 3HSDZAPR9LN374014 on behalf of Big Level Trucking Incorporated on October 12, 2021.
2. Please admit that Big Level Trucking Incorporated employs Defendant Larry Lee Williams.
3. Please admit that Defendant Larry Lee Williams was employed with Big Level Trucking Incorporated on October 12, 2021.
4. Please admit that Big Level Trucking Incorporated has auto insurance for the 2020 INTL TR Truck bearing VIN No.: 3HSDZAPR9LN374014 that was operated by Defendant Larry Lee Williams on October 12, 2021.
5. Please admit that the Defendant Larry Lee Williams was performing duties for Big Level Trucking Incorporated and acting within his line and scope of his employment on October 12, 2021.

6. Please admit that the Defendant Larry Lee Williams' actions were the sole and proximate cause to the motor vehicle collision.
7. Please admit that the Defendant Larry Lee Williams was performing duties for Big Level Trucking Incorporated at the time of the collision on October 12, 2021.
8. Please admit that the Plaintiff sustained injuries as a result of the wreck that occurred on October 12, 2021.
9. Please admit that Big Level Trucking Incorporated has no basis to assert a defense or affirmative defense to the subject wreck, lack of personal jurisdiction and lack of subject matter jurisdiction.
10. Please admit Defendant Big Level Trucking Incorporated has no evidence to support the defense that the Plaintiff's case is barred by the Statute of Limitations.
11. Please admit Defendant Big Level Trucking Incorporated has no evidence to support the defense that the Plaintiffs' case is barred by contributory negligence.
12. Please admit the Defendant Big Level Trucking Incorporated has no evidence to support the affirmative defense that the Plaintiffs' case fails to state a claim upon which relief can be granted.

Respectfully submitted,
/s/ Antonio D. Spurling
Antonio D. Spurling, Esq. (SPU006)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL
SPURLING LAW FIRM, LLC
406 19th Street, Suite 100
Birmingham, ALABAMA 35218
Telephone: (205) 788-7006
Facsimile: (205) 725-6052

Respectfully submitted,
s/Ronnie Rice, Esquire
Ronnie O. Rice, Esq. (RIC115)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL**Law office of Ronnie Rice**

115 Richard Arrington Jr., Blvd. N.

Birmingham, Al 35203

Telephone: (205) 222-9815

Facsimile: (205) 278-8538

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of January 2022, I electronically filed the foregoing with the Clerk of the Court using the Alabama e-filing system which will send notification of such filing; and I hereby certify that any non e-filing system participants to whom the foregoing is due will have a copy of the same placed in the United States mail, first class postage prepaid and properly addressed this same day and or served by certified mail with the lawsuit complaint.

LARRY LEE WILLIAMS

4297 Elmridge Street

Memphis, TN 38118

BIG LEVEL TRUCKING INCORPORATED

ATTN: S H Evans, Registered Agent

1727 Dummy Line Road

Wiggins, MS 39577

/s/ Antonio D. Spurling
Of Counsel

**IN THE CIRCUIT COURT OF JEFFERSON COUNTY
BIRMINGHAM DIVISION**

EDDIE JAMES POLLNITZ,

Plaintiff,

v.

**LARRY LEE WILLIAMS,
BIG LEVEL TRUCKING
INCORPORATED
Defendants.**

CIVIL ACTION NO.:

NOTICE OF DEPOSITION OF LARRY LEE WILLIAMS

TO: LARRY LEE WILLIAMS
4297 Elmridge Street
Memphis, TN 38118

PLEASE TAKE NOTICE that at the time, date and place indicated below, the Plaintiff's counsel will take the testimony by deposition upon oral examination of the party named below in this deposition notice. This oral examination will be conducted pursuant to Rules 26-37 in accordance with the Alabama Rules of Civil Procedure for the purpose of discovery or for use as evidence in this action or both purposes and shall be taken before a Notary Public, or before some other officer authorized by law to administer oaths under the laws of the State of Alabama. This said examination will be virtual via ZOOM and will continue from time to time until completed. You are invited to attend and cross examine.

DEPONENTS: LARRY LEE WILLIAMS-Defendant

DATE: Thursday, March 3, 2022

TIME: 8:30am

**PLACE: ZOOM
Spurling Law Firm, LLC
406 19th Street, Ste. 100
Birmingham, AL 35218**

Respectfully submitted,
/s/ Antonio D. Spurling
Antonio D. Spurling, Esq. (SPU006)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL

SPURLING LAW FIRM, LLC
406 19th Street, Suite 100
Birmingham, ALABAMA 35218
Telephone: (205) 788-7006
Facsimile: (205) 725-6052

Respectfully submitted,
s/Ronnie Rice, Esquire
Ronnie O. Rice, Esq. (RIC115)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL

Law office of Ronnie Rice

115 Richard Arrington Jr., Blvd. N.
Birmingham, Al 35203
Telephone: (205) 222-9815
Facsimile: (205) 278-8538

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of January 2022, I electronically filed the foregoing with the Clerk of the Court using the Alabama e-filing system which will send notification of such filing; and I hereby certify that any non e-filing system participants to whom the foregoing is due will have a copy of the same placed in the United States mail, first class postage prepaid and properly addressed this same day and or served by certified mail with the lawsuit complaint.

LARRY LEE WILLIAMS

4297 Elmridge Street
Memphis, TN 38118

BIG LEVEL TRUCKING INCORPORATED

ATTN: S H Evans, Registered Agent

1727 Dummy Line Road
Wiggins, MS 39577

/s/ Antonio D. Spurling
Of Counsel

JEFFERSON COUNTY, ALABAMA
JACQUELINE ANDERSON SMITH, CLERK

otherwise, the camera angle should be level with the witness's head. Sound level will not be altered unless necessary to record satisfactorily the voices of counsel and witness.

Eating or smoking or other use of tobacco products by witnesses or counsel during the deposition will not be permitted. Each witness, attorney and any other person attending the deposition will be identified on camera at the beginning of the deposition. Thereafter, only the deponent and demonstrative material used in the deposition will be shown on the videotape, unless any participant desires that an additional camera be focused on the attorney asking questions in which case that should be done. The participant desiring an additional camera has the responsibility to arrange for the availability of the second camera and shall bear the cost of providing the additional camera.

Said deposition shall be commenced **immediately following the deposition of LARRY LEE WILLIAMS** on the **3rd** day of **March 2022**, virtually via ZOOM and shall continue or be resumed from time to time thereafter until the same has been completed.

Respectfully submitted,
/s/ Antonio D. Spurling
Antonio D. Spurling, Esq. (SPU006)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL
SPURLING LAW FIRM, LLC
406 19th Street, Suite 100
Birmingham, ALABAMA 35218
Telephone: (205) 788-7006
Facsimile: (205) 725-6052

Respectfully submitted,
s/Ronnie Rice, Esquire
Ronnie O. Rice, Esq. (RIC115)
Counsel for Plaintiff Eddie James Pollnitz

OF COUNSEL
Law office of Ronnie Rice
115 Richard Arrington Jr., Blvd. N.
Birmingham, Al 35203
Telephone: (205) 222-9815
Facsimile: (205) 278-8538

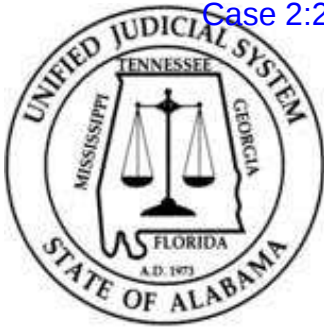
CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of January 2022, I electronically filed the foregoing with the Clerk of the Court using the Alabama e-filing system which will send notification of such filing; and I hereby certify that any non e-filing system participants to whom the foregoing is due will have a copy of the same placed in the United States mail, first class postage prepaid and properly addressed this same day and or served by certified mail with the lawsuit complaint.

LARRY LEE WILLIAMS
4297 Elmridge Street
Memphis, TN 38118

BIG LEVEL TRUCKING INCORPORATED
ATTN: S H Evans, Registered Agent
1727 Dummy Line Road
Wiggins, MS 39577

/s/ Antonio D. Spurling
Of Counsel



AlaFile E-Notice

01-CV-2022-900207.00

To: ANTONIO DELFONJIA SPURLING
aspurlingesq@bellsouth.net

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

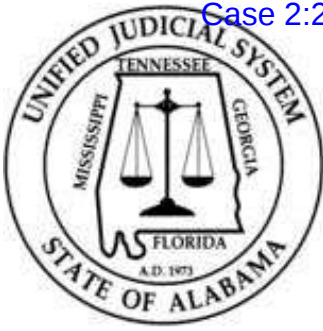
EDDIE JAMES POLLNITZ V. BIG LEVEL TRUCKING INCORPORATED ET AL
01-CV-2022-900207.00

The following complaint was FILED on 1/21/2022 12:37:02 PM

Notice Date: 1/21/2022 12:37:02 PM

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov



AlaFile E-Notice

01-CV-2022-900207.00

To: BIG LEVEL TRUCKING INCORPORATED
C/O S.H. EVANS, REG. AGENT
1727 DUMMY LINE ROAD
WIGGINS, MS, 39577

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

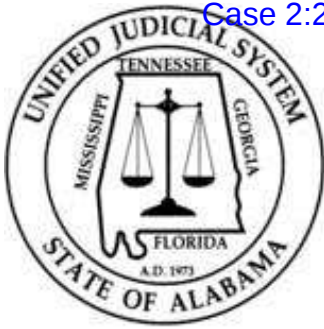
EDDIE JAMES POLLNITZ V. BIG LEVEL TRUCKING INCORPORATED ET AL
01-CV-2022-900207.00

The following complaint was FILED on 1/21/2022 12:37:02 PM

Notice Date: 1/21/2022 12:37:02 PM

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov



AlaFile E-Notice

01-CV-2022-900207.00

To: LARRY LEE WILLIAMS
4297 ELMRIDGE STREET
MEMPHIS, TN, 38118

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

EDDIE JAMES POLLNITZ V. BIG LEVEL TRUCKING INCORPORATED ET AL
01-CV-2022-900207.00

The following complaint was FILED on 1/21/2022 12:37:02 PM

Notice Date: 1/21/2022 12:37:02 PM

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov

State of Alabama Unified Judicial System Form C-34 Rev. 4/2017	SUMMONS - CIVIL -	Court Case Number 01-CV-2022-900207.00
--	------------------------------------	--

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
EDDIE JAMES POLLNITZ V. BIG LEVEL TRUCKING INCORPORATED ET AL

NOTICE TO: BIG LEVEL TRUCKING INCORPORATED, C/O S.H. EVANS, REG. AGENT 1727 DUMMY LINE ROAD, WIGGINS, MS 39577

(Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S), ANTONIO DELFONJIA SPURLING

[Name(s) of Attorney(s)]

WHOSE ADDRESS(ES) IS/ARE: 406 19th Street, SUITE 100,, BIRMINGHAM, AL 35218

[Address(es) of Plaintiff(s) or Attorney(s)]

THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:

☐ You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

☒ Service by certified mail of this Summons is initiated upon the written request of EDDIE JAMES POLLNITZ

[Name(s)]
 pursuant to the Alabama Rules of the Civil Procedure.

01/21/2022 /s/ JACQUELINE ANDERSON SMITH By: _____
(Date) *(Signature of Clerk)* *(Name)*

☒ Certified Mail is hereby requested. /s/ ANTONIO DELFONJIA SPURLING

(Plaintiff's/Attorney's Signature)

RETURN ON SERVICE

☐ Return receipt of certified mail received in this office on _____

(Date)

☐ I certify that I personally delivered a copy of this Summons and Complaint or other document to _____
 _____ in _____ County,

(Name of Person Served) *(Name of County)*

Alabama on _____

(Date)

(Type of Process Server)

(Server's Signature)

(Server's Printed Name)

(Address of Server)

(Phone Number of Server)

State of Alabama Unified Judicial System Form C-34 Rev. 4/2017	SUMMONS - CIVIL -	Court Case Number 01-CV-2022-900207.00
---	------------------------------------	---

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
EDDIE JAMES POLLNITZ V. BIG LEVEL TRUCKING INCORPORATED ET AL

NOTICE TO: LARRY LEE WILLIAMS, 4297 ELMRIDGE STREET, MEMPHIS, TN 38118

(Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S), ANTONIO DELFONJIA SPURLING

[Name(s) of Attorney(s)]

WHOSE ADDRESS(ES) IS/ARE: 406 19th Street, SUITE 100,, BIRMINGHAM, AL 35218

[Address(es) of Plaintiff(s) or Attorney(s)]

THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:

☐ You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

☒ Service by certified mail of this Summons is initiated upon the written request of EDDIE JAMES POLLNITZ

[Name(s)]

pursuant to the Alabama Rules of the Civil Procedure.

01/21/2022 /s/ JACQUELINE ANDERSON SMITH By: _____

(Date)
(Signature of Clerk)
(Name)

☒ Certified Mail is hereby requested. /s/ ANTONIO DELFONJIA SPURLING

(Plaintiff's/Attorney's Signature)

RETURN ON SERVICE

☐ Return receipt of certified mail received in this office on _____

(Date)

☐ I certify that I personally delivered a copy of this Summons and Complaint or other document to _____

(Name of Person Served)
(Name of County)

County, _____

Alabama on _____

(Date)

(Type of Process Server)

(Server's Signature)

(Address of Server)

(Server's Printed Name)

(Phone Number of Server)

**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
BIRMINGHAM DIVISION**

EDDIE JAMES POLLNITZ

Plaintiff,

v.

**LARRY LEE WILLIAMS,
BIG LEVEL TRUCKING
INCORPORATED**

Defendants.

)
)
)
)
)
)
)
)
)
)
)

CIVIL CASE NO.:CV 2022-900207.00

NOTICE OF APPEARANCE

Comes Now the undersigned, Ronnie O. Rice, The Law Office of Ronnie Rice, LLC and provides this Honorable Court, as well as all Parties, with formal notice of his appearance as counsel of records for the Plaintiff, Eddie James Pollnitz.

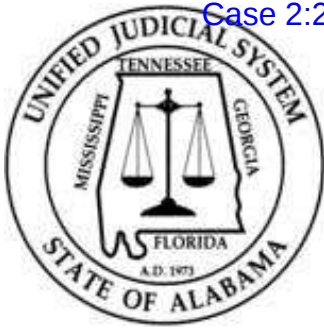
Respectfully Submitted,

/s/Ronnie O. Rice

Ronnie O. Rice (7183012P)
Attorney for Plaintiff

OF COUNSEL:

The Law Office of Ronnie Rice
P.O. Box 59872
Homewood, AL. 35259
Phone: 205-222-9815
Fax: 205-278-8538
Email: Ronnie@getricenow.com



AlaFile E-Notice

01-CV-2022-900207.00

To: Ronnie O'Brien Rice 81113
ronnie@getricenow.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

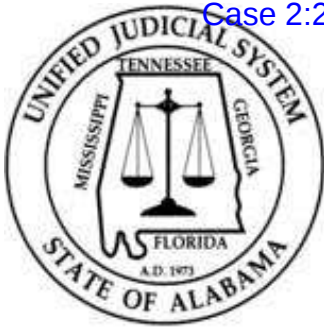
EDDIE JAMES POLLNITZ V. BIG LEVEL TRUCKING INCORPORATED ET AL
01-CV-2022-900207.00

The following NOTICE OF APPEARANCE was FILED on 1/24/2022 5:02:42 PM

Notice Date: 1/24/2022 5:02:42 PM

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov



AlaFile E-Notice

01-CV-2022-900207.00

To: BIG LEVEL TRUCKING INCORPORATED (PRO SE)
C/O S.H. EVANS, REG. AGENT
1727 DUMMY LINE ROAD
WIGGINS, MS, 39577-0000

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

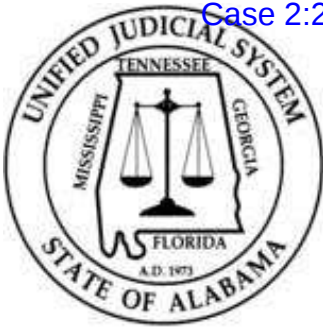
EDDIE JAMES POLLNITZ V. BIG LEVEL TRUCKING INCORPORATED ET AL
01-CV-2022-900207.00

The following NOTICE OF APPEARANCE was FILED on 1/24/2022 5:02:42 PM

Notice Date: 1/24/2022 5:02:42 PM

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov



AlaFile E-Notice

01-CV-2022-900207.00

To: WILLIAMS LARRY LEE (PRO SE)
4297 ELMRIDGE STREET
MEMPHIS, TN, 38118-0000

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

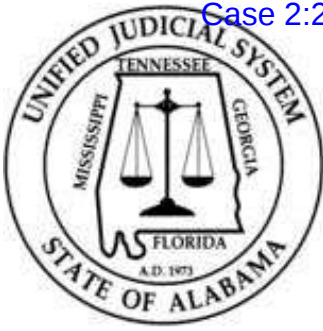
EDDIE JAMES POLLNITZ V. BIG LEVEL TRUCKING INCORPORATED ET AL
01-CV-2022-900207.00

The following NOTICE OF APPEARANCE was FILED on 1/24/2022 5:02:42 PM

Notice Date: 1/24/2022 5:02:42 PM

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov



AlaFile E-Notice

01-CV-2022-900207.00

To: SPURLING ANTONIO DELFONJI
aspurlingesq@bellsouth.net

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

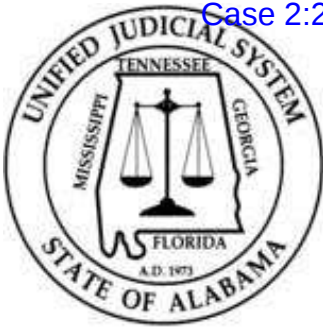
EDDIE JAMES POLLNITZ V. BIG LEVEL TRUCKING INCORPORATED ET AL
01-CV-2022-900207.00

The following NOTICE OF APPEARANCE was FILED on 1/24/2022 5:02:42 PM

Notice Date: 1/24/2022 5:02:42 PM

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov



AlaFile E-Notice

01-CV-2022-900207.00

To: Ronnie O'Brien Rice 81113
ronnie@getricenow.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

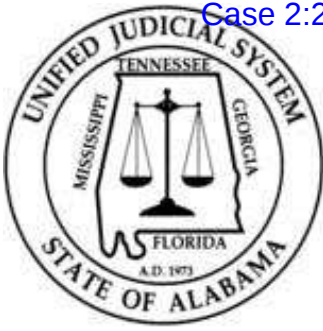
EDDIE JAMES POLLNITZ V. BIG LEVEL TRUCKING INCORPORATED ET AL
01-CV-2022-900207.00

The following NOTICE OF APPEARANCE was FILED on 1/24/2022 5:02:42 PM

Notice Date: 1/24/2022 5:02:42 PM

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov



AlaFile E-Notice

01-CV-2022-900207.00

To: BIG LEVEL TRUCKING INCORPORATED (PRO SE)
C/O S.H. EVANS, REG. AGENT
1727 DUMMY LINE ROAD
WIGGINS, MS, 39577-0000

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

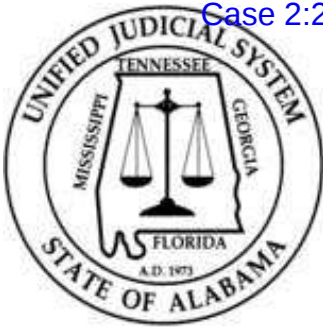
EDDIE JAMES POLLNITZ V. BIG LEVEL TRUCKING INCORPORATED ET AL
01-CV-2022-900207.00

The following NOTICE OF APPEARANCE was FILED on 1/24/2022 5:02:42 PM

Notice Date: 1/24/2022 5:02:42 PM

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov



AlaFile E-Notice

01-CV-2022-900207.00

To: WILLIAMS LARRY LEE (PRO SE)
4297 ELMRIDGE STREET
MEMPHIS, TN, 38118-0000

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

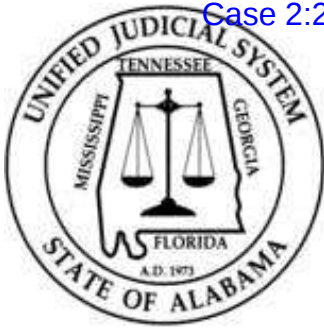
EDDIE JAMES POLLNITZ V. BIG LEVEL TRUCKING INCORPORATED ET AL
01-CV-2022-900207.00

The following NOTICE OF APPEARANCE was FILED on 1/24/2022 5:02:42 PM

Notice Date: 1/24/2022 5:02:42 PM

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov



AlaFile E-Notice

01-CV-2022-900207.00

To: SPURLING ANTONIO DELFONJI
aspurlingesq@bellsouth.net

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

EDDIE JAMES POLLNITZ V. BIG LEVEL TRUCKING INCORPORATED ET AL
01-CV-2022-900207.00

The following NOTICE OF APPEARANCE was FILED on 1/24/2022 5:02:42 PM

Notice Date: 1/24/2022 5:02:42 PM

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

LARRY LEE WILLIAMS

4297 ELMRIDGE STREET

MEMPHIS, TN 38118



9590 9402 6456 0346 6716 00

7021 2720 0003 4532 7575

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☒ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

2/28

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

S/C D2

CV - 22 - 966 207

3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery☐ Certified Mail®☒ Certified Mail Restricted Delivery☐ Collect on Delivery

1 Delivery Restricted Delivery

1all

1all Restricted Delivery

(over \$500)

☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☒ Signature Confirmation™☐ Signature Confirmation Restricted Delivery

USPS TRACKING#



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

FILED
CIRCULAR DIVISION

JAN 31 2022

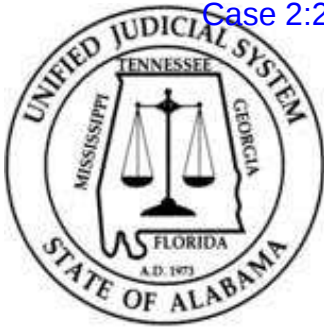
JACQUELINE ANDERSON SMITH
CLERK

• Sender: Please print your name, address, and ZIP+4® in this box •

JACQUELINE ANDERSON SMITH, CLERK
ROOM 400 JEFF CO COURTHOUSE
716 RICHARD ARRINGTON JR BLVD., NO.
BIRMINGHAM, ALABAMA 35203

35203-010100





AlaFile E-Notice

01-CV-2022-900207.00

Judge: JIM HUGHEY III

To: SPURLING ANTONIO DELFONJI
aspurlingesq@bellsouth.net

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

EDDIE JAMES POLLNITZ V. BIG LEVEL TRUCKING INCORPORATED ET AL
01-CV-2022-900207.00

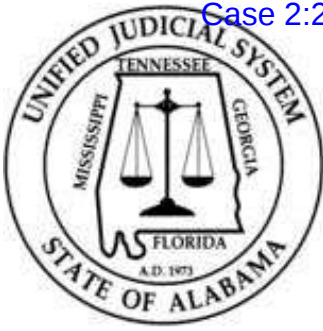
The following matter was served on 1/28/2022

D002 WILLIAMS LARRY LEE

Corresponding To
CERTIFIED MAIL

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov



AlaFile E-Notice

01-CV-2022-900207.00

Judge: JIM HUGHEY III

To: RICE RONNIE O'BRIAN
ronnie@getricenow.com

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

EDDIE JAMES POLLNITZ V. BIG LEVEL TRUCKING INCORPORATED ET AL
01-CV-2022-900207.00

The following matter was served on 1/28/2022

D002 WILLIAMS LARRY LEE

Corresponding To
CERTIFIED MAIL

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BIG LEVEL TRUCKING INCORPORATED
C/O S.H. EVANS, REG. AGENT
1727 DUMMY LINE ROAD
WIGGINS, MS 39577



9590 9402 6456 0346 6715 94

2. Article Number (Transfer from service label)

7021 1120 0000 1000

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☒ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

1/27/22

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

USPS

JAN 27 2022

MS 39577

CV-2022-900207

3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery☐ Certified Mail®☒ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☒ Signature Confirmation™☐ Signature Confirmation Restricted Delivery

Mail

Mail Restricted Delivery

(over \$500)

Domestic Return Receipt

USPS TRACKING#



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 6456 0346 6715 94

United States
Postal Service

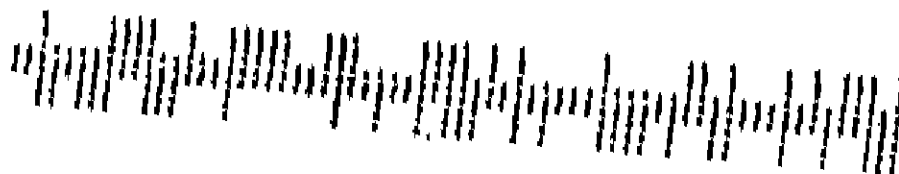
FILED IN OFFICE
CIRCUIT CIVIL DIVISION

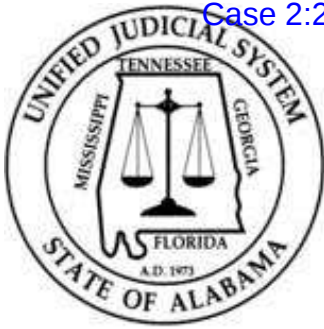
JAN 31 2022

JACQUELINE ANDERSON SMITH
CLERK

• Sender: Please print your name, address, and ZIP+4® in this box •

JACQUELINE ANDERSON SMITH, CLERK
ROOM 400 JEFF CO COURTHOUSE
716 RICHARD ARRINGTON JR BLVD., NO.
BIRMINGHAM, ALABAMA 35203





AlaFile E-Notice

01-CV-2022-900207.00

Judge: JIM HUGHEY III

To: SPURLING ANTONIO DELFONJI
aspurlingesq@bellsouth.net

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

EDDIE JAMES POLLNITZ V. BIG LEVEL TRUCKING INCORPORATED ET AL
01-CV-2022-900207.00

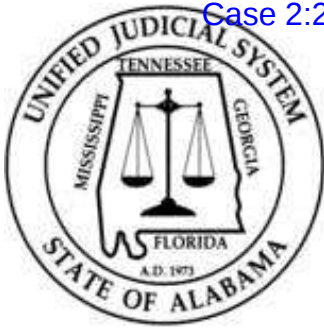
The following matter was served on 1/27/2022

D001 BIG LEVEL TRUCKING INCORPORATED

Corresponding To
CERTIFIED MAIL

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov



AlaFile E-Notice

01-CV-2022-900207.00

Judge: JIM HUGHEY III

To: RICE RONNIE O'BRIAN
ronnie@getricenow.com

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

EDDIE JAMES POLLNITZ V. BIG LEVEL TRUCKING INCORPORATED ET AL
01-CV-2022-900207.00

The following matter was served on 1/27/2022

D001 BIG LEVEL TRUCKING INCORPORATED

Corresponding To
CERTIFIED MAIL

JACQUELINE ANDERSON SMITH
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
jackie.smith@alacourt.gov

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

EDDIE JAMES POLLNITZ,

*

*

Plaintiff,

*

*

v.

*

Civil Action No.:

*

**LARRY LEE WILLIAMS; BIG LEVEL
TRUCKING INCORPORATED,**

*

*

*

Defendants.

*

*

NOTICE OF REMOVAL

EXHIBIT B

F0001 - Page 1 of 2

OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
P.O. BOX 136, JACKSON, MS 39201

Articles of Incorporation

The undersigned, pursuant to Section 79-4-2.02 (if a profit corporation) or Section 79-11-137 (if a nonprofit corporation) of the Mississippi Code of 1972, hereby executes the following document and sets forth:

1. Type of Corporation

*Business Email Address: STEVE@CHARLESEVANS+TRUCKING.COM

⇒ ☒ Profit

☐ Nonprofit

2. Name of the Corporation

⇒ BIG LEVEL TRUCKING INC.

3. The future effective date is
(Complete if applicable)

Immediately

4. FOR NONPROFITS ONLY: The period of duration is

years or

perpetual

The purpose of the non-profit corporation

5. FOR PROFITS ONLY: The Number (and Classes) if any of shares the corporation is authorized to issue is (are) as follows

Classes

of Shares Authorized

If more than one (1) class of shares is authorized, the preferences, limitations, and relative rights of each class are as follows:

(See Attached)

⇒ Common

1000

⇒

6. Name and Street Address of the Registered Agent and Registered Office is

⇒ Name

S. H. EVANS

⇒ Physical Address

67 C. G. EVANS ROAD

⇒ P.O. Box

306

⇒ City, State, ZIP5, ZIP4

WIGGINS

MS

39577

271912

2012 JUN -6 PM 2:08

F0001 - Page 2 of 2

OFFICE OF THE MISSISSIPPI SECRETARY OF STATE


P.O. BOX 136, JACKSON, MS 39205-0136 (601) 359-1633

Articles of Incorporation

7. The name and complete address of each incorporator are as follows

⇒ Name ⇒ Street ⇒ City, State, ZIP5, ZIP4 ⇒ Name ⇒ Street ⇒ City, State, ZIP5, ZIP4 ⇒ Name ⇒ Street ⇒ City, State, ZIP5, ZIP4 ⇒ 8. Other Provisions ☐ See Attached

⇒ 9. Incorporators' Signatures (please keep writing within blocks)

271912

2012 JUN -6 PM 2:08

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

EDDIE JAMES POLLNITZ,

*

*

Plaintiff,

*

*

v.

*

Civil Action No.:

*

**LARRY LEE WILLIAMS; BIG LEVEL
TRUCKING INCORPORATED,**

*

*

*

Defendants.

*

*

NOTICE OF REMOVAL

EXHIBIT C

F0008
Fee: \$ 25



Michael Watson
 SECRETARY OF STATE

2021177843

Business ID: 1003066
 Filed: 04/06/2021 12:17 AM
 Michael Watson
 Secretary of State

2021 Corporate Annual Report

Business Information

Business ID: 1003066 **Business Name:** Big Level Trucking Inc.
State of Incorporation: MS **Business Email:** stevene@biglevel.net
Phone: (***)***-****
FEIN: **-*****

Principal Address: 1727 Dummy Line Rd
 Wiggins, MS 39577

Registered Agent

Name: Evans, S H
Address: 1727 Dummy Line Road
 Wiggins, MS 39577

Officers

Title/Name:	Address:	Director:
President: S H Evans	67 C G Evans Road P O Box 306 Wiggins, MS 39577	<input checked="" type="checkbox"/>
Vice President: Charles G Evans	PO Box 306 Wiggins, MS 39577	<input checked="" type="checkbox"/>
Secretary: S H Evans	67 C G Evans Road P O Box 306 Wiggins, MS 39577	<input checked="" type="checkbox"/>
Treasurer: S H Evans	67 C G Evans Road P O Box 306 Wiggins, MS 39577	<input checked="" type="checkbox"/>

Stocks

Class:	Authorized:	Series:	Issued:
Common	1000		1

P.O. BOX 136
 JACKSON, MS 39205-0136

TELEPHONE: (601) 359-1633

Notice of Removal Exhibit C; P. 1

NAICS Code/Nature of Business

484210 - Used Household and Office Goods Moving

484210 - Used Household and Office Goods Moving

484210 - Used Household and Office Goods Moving

Signature

By entering my name in the space provided, I certify that I am authorized to file this document on behalf of this entity, have examined the document and, to the best of my knowledge and belief, it is true, correct and complete as of this day ***04/06/2021***.

Name:

DON L MATTOCKS

Chief Financial Officer

Address:

PO BOX 306

WIGGINS, MS 39577

Officers List

Name:

S H Evans

Director, President, Secretary, Treasurer

Address:

67 C G Evans Road P O Box 306

Wiggins, MS 39577

Charles G Evans

Director, Vice President

PO Box 306

Wiggins, MS 39577

Don L Mattocks

Director, Chief Financial Officer

PO Box 306

Wiggins, MS 39577